

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

IN RE:)
) Chapter 7
ITT EDUCATIONAL SERVICES, INC.)
) Case No. 16-07207-JMC-7A
Debtor)
)
)
)

NOTICE OF MOTION AND OPPORTUNITY TO OBJECT

PLEASE TAKE NOTICE that on October 13, 2016, the Commonwealth of Massachusetts and the State of New Mexico (“the States”) filed their Motion to Confirm Absence of Stay and for Reconsideration (the “Motion”) [Doc 356] in response to the Court’s order at the October 4, 2016 hearing permitting the States to provide additional briefing on the question of the applicability of the police and regulatory power exception to the bankruptcy code’s automatic stay provision to the States’ respective legal actions against the Debtor. A Copy of the Motion may be reviewed at the office of the Clerk of the Bankruptcy Court or by contacting the undersigned.

Your rights may be affected. Parties in interest in the above-captioned case have until **October 26, 2016 at 4:00 p.m. EST**, to file an objection to the Motion in accordance with Local Rule S.D.Ind. B-9013-1. Objections must be in writing and filed with the Bankruptcy Court at <http://ecf.insb.uscourts.gov> (user account and password required) or, if not permitted to file electronically, with the Clerk’s Office, 46 East Ohio Street, Room 116, Indianapolis, Indiana 46204. Any objection filed must be served on the attorneys for the parties at the following addresses:

Attorney for Commonwealth of Massachusetts:

Lydia French
Assistant Attorney General
Massachusetts Office of the Attorney General
One Ashburton Place, 18th Floor
Boston, MA 02108

Attorney for State of New Mexico:

Abby Sullivan Engen
Assistant Attorney General
Office of the New Mexico Attorney General

P.O. Drawer 1508
Santa Fe, NM 87504-1508

NOTICE IS GIVEN pursuant to Bankruptcy Rule 6006(c) and the Notice, Case Management and Administrative Procedures (the “Procedures”) approved by this Court on October 4, 2016 [Doc 220], that this Motion is scheduled for hearing on November 2, 2016, at 2:00 p.m. EST (“Hearing Date”) at the United States Bankruptcy Court, Room 325, 46 East Ohio Street, Indianapolis, Indiana 46204.

If an objection is not timely filed, the Court may grant the requested relief without holding a hearing or providing further notice.

Pursuant to the Notice, Case Management and Administrative Procedures (the “Procedures”) approved by this Court on October 4, 2016 [Doc 220], the undersigned will serve a copy of this Notice of Motion and Opportunity to Object on the following (as defined in the Procedures): (a) the Core Group, (b) the Request for Notice List; and (c) the Appearance List.

MAURA HEALEY
Massachusetts Attorney General

/s/ Lydia French
Lydia French, BBO No. 666348
Assistant Attorney General
Massachusetts Office of the Attorney General
One Ashburton Place, 18th Floor
Boston, MA 02108
(617) 963-2314 (phone)
(617) 722-0184 (fax)
lydia.french@state.ma.us

HECTOR H. BALDERAS
New Mexico Attorney General

/s/ Abby Sullivan Engen
Abby Sullivan Engen, NM Bar No. 142446
James Jacobsen, NM Bar No. 1261
Assistant Attorneys General
Office of the New Mexico Attorney General
P.O. Drawer 1508
Santa Fe, NM 87504-1508
(505) 827-6700 (phone)
(505) 827-6685 (fax)
aengen@nmag.gov
jjacobsen@nmag.gov

CERTIFICATE OF SERVICE

I hereby certify that on October 14, 2016, a copy of the foregoing Notice was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Abby Engen
Abby Engen